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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,559	09/24/2004	Robert C. Redburn	FIS920040095	5558
32074	7590	08/21/2006	EXAMINER	
INTERNATIONAL BUSINESS MACHINES CORPORATION DEPT. 18G BLDG. 300-482 2070 ROUTE 52 HOPEWELL JUNCTION, NY 12533				TO, BAOQUOC N
ART UNIT		PAPER NUMBER		
		2162		
DATE MAILED: 08/21/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/711,559	REDBURN, ROBERT C.	
	<b>Examiner</b> Baoquoc N. To	<b>Art Unit</b> 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 07 January 2006.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-40 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-40 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>09/14/04 1/07/05</u> .	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. Claims 1-40 are pending in this application.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 09/24/2004 and 01/07/2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Cruz F. Isabel (User-Defined Visual query Languages).

Regarding on claims 1, 9, 15, 24, 31 and 39 Cruz teaches a method for obtaining information from a relational database, comprising the steps of:

Formulating a query to retrieve data form the database, where a first portion of the query specifies the data to be retrieved and a second portion of the queries specifies a format for graphing the data (queries) (page 1, right column, lines 13-13);

Transmitting the query to the database (transmitting the query before retrieve result for graphing) (page 1, right column, lines 11-13);

Causing data to be returned from the database in accordance with the query (as to queries retrieved data and graphing the data) (right column, lines 11-13);

Presenting the data in accordance with said format (a display to be visually specified) (right column, page 1, lines 18-19 and right column, lines 16).

Regarding to claims 2, 16, 25 and 32, Cruz teaches a method according to claim 1, wherein the first portion of the query and the second portion of the query are for language (SQL) (relational) (left column, page 1, line 22).

Regarding on claims 3, 11, 20, 26 and 33 Cruz teaches a method of claim 1, wherein the data is returned as a binary image and presented as a graph (graphs, bar, chart or pie) (page 1, left column, lines 8-12).

Regarding on claims 4, 12, 21, 27 and 34 Cruz teaches a method of claim 1, wherein an image representation of data in ASCII format is returned from the database and presented as a graph (data presented in the database in ASCII format and played in a user specified) (page 1, left column, lines 18-19).

Regarding on claims 5, 13, 17, 28, 35 and 38, Cruz teaches a method of claim 1, wherein said step of causing the data to be returned comprising interpreting the query in accordance with a structure query language (SQL) having keywords and syntax for specifying format (the interpretation of the query is in the software in order to be compatible to the database system to retrieve data and graph) (page 21, left column, line 22);

Regarding on claims 6, 14 and 36, Cruz teaches a method of claim 5, wherein the graphical image is one of aline graph, a horizontal bar chart, a vertical bar chart, a pie chart, a scatter plot, a contour plot, and a wafer map, in accordance with a keyword in the second portion of the query (graphs, bar charts, pie charts, and plot charts) (page 1, left column, lines 8-12).

Regarding on claims 7, 19, 30 and 37, Cruz teaches a method according to claim 1, wherein said step of causing the data to be returned further comprises:

Interpreting the first portion of the query to cause the data to be retrieved (query parameter need to be interpret and to retrieve data from the database) (page 1, left column, lines 11-18);

Creating a dataset for the data (data need to be created for graph) (page 1, left column, lines 11-12);

Incorporating the data into the dataset (constructing the data into the required data set before graphing) (left column, lines 11-12); and

Constructing a graphical image using the data, in accordance with said format (page 1, left column, lines 18-19).

Regarding on claims 8, 17-18 and 40, Cruz teaches the method of claim 7, wherein said interpreting step further comprises parsing the query so that the first portion of the query and the second portion of the query are interpreted separately (query is parsed to determined what are being required to be retrieved) (page 1, right column, lines 11-12).

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Li et al. (US. Patent No. 5,608,899) Patent date: 03/04/1997.

Li discloses the method of modifying the query to retrieve and graphically display the result in the graphical form.

***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041, or unofficial fax number for the purpose of discussion (571) 273-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(571) –273-8300 [Official Communication]

BQ To

August 7th, 2006

  
Primary Examiner  
8/7/06